



# PROPOSED RULE MAKING

**CR-102 (June 2004)**

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

**Agency:** Department of Ecology

AO # 05-07

☒ **Preproposal Statement of Inquiry** was filed as WSR 05-08-141 ; or

☐ **Expedited Rule Making--Proposed notice** was filed as WSR \_\_\_\_\_; or

☐ **Proposal is exempt under RCW 34.05.310(4).**

☒ **Original Notice**

☐ **Supplemental Notice to WSR** \_\_\_\_\_

☐ **Continuance of WSR** \_\_\_\_\_

**Title of rule and other identifying information:** (Describe Subject) Changes to Chapter 173-415 WAC, Primary aluminum plants, and Chapter 173-481 WAC, Ambient air quality and environmental standards for fluorides, are being proposed to update and streamline these rules that affect the aluminum industry.

**Hearing location(s):**

Ecology Headquarters Building, Room ROA-36  
300 Desmond Drive  
Lacey, Washington 98504

Date: July 26, 2005

Time: 1:30 PM

**Submit written comments to:**

Name: W. Thomas Todd

Address: Department of Ecology, P.O. Box 47600,  
Olympia, WA 98504-7600

e-mail ttod461@ecy.wa.gov

fax (360) 407-7534 by (date) 5:00 PM, August 5, 2005

**Assistance for persons with disabilities:** Contact

Tami Dahlgren by July 18, 2005

TTY (1-800) 833-6388 or ( ) 711

**Date of intended adoption:** August 23, 2005

(Note: This is **NOT** the **effective** date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** Ecology proposes to amend parts of Ch. 173-415 WAC by changing sections that deal with applicability, emissions standards, monitoring and reporting (including reports of startup, shutdown, breakdown or upset conditions) , and modifying some definitions. Some duplicative sections are proposed for elimination. In Ch. 173-481 WAC, ecology is proposing amending sections that deal with applicability, definitions, forage and ambient standards, and compliance.

**Reasons supporting proposal:** Regulatory Reform. Ecology is proposing to streamline the rule language without weakening the underlying requirements.

**Statutory authority for adoption:** RCW 70.94.395 and 70.94.331

**Statute being implemented:** Chapter 70.94 RCW

**Is rule necessary because of a:**

Federal Law?

☐ Yes ☒ No

Federal Court Decision?

☐ Yes ☒ No

State Court Decision?

☐ Yes ☒ No

If yes, CITATION:

**DATE**

6/16/05

**NAME** (type or print)

Polly Zehm

**SIGNATURE** Polly Zehm

**TITLE** Deputy Director

**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

June 17, 2005

TIME 4:15 PM  
WSR 05-13-112

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None

**Name of proponent:** (person or organization) Washington Department of Ecology

☐ Private  
☐ Public  
☒ Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting.....	W. Thomas Todd	Olympia	(360) 407-7528
Implementation....	Carol Kraege	Olympia	(360) 407-6906
Enforcement.....	Carol Kraege	Olympia	(360) 407-6906

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone (    ) \_\_\_\_\_

fax (    ) \_\_\_\_\_

e-mail \_\_\_\_\_

☒ No. Explain why no statement was prepared.

The rule amendment has been reviewed and is exempt from economic analysis under RCW 34.05.328 and RCW 19.85.

**Is a cost-benefit analysis required under RCW 34.05.328?**

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone (    ) \_\_\_\_\_

fax (    ) \_\_\_\_\_

e-mail \_\_\_\_\_

☒ No: Please explain:

The rule amendment has been reviewed and is exempt from economic analysis under RCW 34.05.328 and RCW 19.85.